

Introduced by Senator CannellaFebruary 13, 2015

An act to amend Section 1242 of the Water Code, relating to water.

LEGISLATIVE COUNSEL'S DIGEST

SB 228, as introduced, Cannella. Groundwater storage: beneficial use.

Under existing law, the right to water or to the use of water is limited to that amount of water that may be reasonably required for the beneficial use to be served. Existing law declares that the storing of water underground, and related diversions for that purpose, constitute a beneficial use of water if the stored water is thereafter applied to the beneficial purposes for which the appropriation for storage was made.

This bill would declare that the recharging of a groundwater basin by a local groundwater management agency or a local groundwater sustainability agency for the purposes of repelling saline intrusion and recovering basin groundwater levels constitutes a beneficial use of water if the recharge is consistent with the local agency's groundwater management plan or groundwater sustainability plan.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 1242 of the Water Code is amended to
- 2 read:
- 3 1242. (a) The storing of water underground, including the
- 4 diversion of streams and the flowing of water on lands necessary
- 5 to the accomplishment of such storage, constitutes a beneficial use

1 of water if the water so stored is thereafter applied to the beneficial
2 purposes for which the appropriation for storage was made.
3 *(b) The recharging of a groundwater basin by a local*
4 *groundwater management agency or a local groundwater*
5 *sustainability agency for the purposes of repelling saline intrusion*
6 *and recovering basin groundwater levels, including the diversion*
7 *of streams, the flowing of water on lands, or other similar means*
8 *necessary for the accomplishment of groundwater recharge for*
9 *these purposes, constitutes a beneficial use of water if the local*
10 *agency has determined that the recharge is consistent with the*
11 *local agency's groundwater management plan or groundwater*
12 *sustainability plan adopted pursuant to Part 2.75 (commencing*
13 *with Section 10750) or Part 2.74 (commencing with Section 10720)*
14 *of Division 6, respectively.*